

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GABRIEL J HOWELL AND  
STACIE L HOWELL  
Plaintiffs

VS.

U.S. BANK TRUST NATIONAL  
ASSOCIATION, NOT IN ITS INDIVIDUAL  
CAPACITY BUT SOLELY AS OWNER  
TRUSTEE FOR RCF 2 ACQUISITION  
TRUST AND SELENE FINANCE, LP  
Defendants

[illegible]

C.A. NO. 4:22-cv-02668

## **STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiffs Gabriel J. Howell and Stacie L. Howell (“**Plaintiffs**”) hereby file this Stipulation of Dismissal with Prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and would respectfully show unto the Court as follows:

1. Plaintiffs filed this lawsuit against Defendants, US Bank Trust National Association, not in its individual capacity but solely as owner Trustee for RCF 2 Acquisition Trust (“**Trustee**”) and Selene Finance LP (“**Selene**”) (both are collectively “**Defendants**”) in State Court on or about August 1, 2022. Defendants filed an Answer in State Court and removed the matter to this Court on August 9, 2022.

2. Plaintiffs wish to dismiss all claims against Defendants with prejudice.

3. In conformity with Rule 41(a)(1)(A)(ii), this Stipulation is signed by all parties who have appeared in the action.

4. By this Stipulation, it is hereby stipulated that all claims and causes of action brought by the Plaintiffs against Defendants, are dismissed with prejudice to re-filing same or any part thereof.

5. Plaintiffs and Defendants further stipulate that all costs of court, attorney's fees and other costs incurred are to be borne by the party incurring the same.

WHEREFORE, PREMISES CONSIDERED, all claims and causes of action brought by Plaintiffs against Defendants are dismissed with prejudice by stipulation of all parties.

Respectfully submitted,

By: /s/ Robert C. Lane

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**ATTORNEYS-IN-CHARGE FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of September 2022 a true and correct copy of the foregoing and/or attached was served on each attorney of record or party in accordance with **Federal Rule of Civil Procedure 5(b)** as follows:

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**Via ECF and Email**

/s/ Michael F. Hord Jr.  
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